

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION**

**CASE NO. 1:05MJ218**

**IN RE:** )  
REAL PROPERTY LOCATED AT )  
STREET ADDRESSES 2294, )  
2296, 2298 and 2300 U.S. )  
HIGHWAY 70, SWANNANOA, )  
NORTH CAROLINA, *etc.*, )  
\_\_\_\_\_ )

**ORDER**

**THIS MATTER** is before the Court on the memorandum of Respondent John J. Kelly, M.D., in support of exceptions to the Order entered by the Magistrate Judge on April 3, 2007, which the Court construes as an appeal of the Magistrate Judge's rulings therein.

The memorandum shows a certificate of service on the United States Attorney, but no response has been filed. The Court will, therefore, require the United States to file response as to whether or not it joins in the Respondent's exceptions/objections. If not, the Government shall file an appropriate response to the Respondent's filing.

**IT IS, THEREFORE, ORDERED** that the Government file response as directed above on or before 15 days from entry of this Order.

Signed: May 16, 2007

A handwritten signature in dark ink, appearing to read 'L. H. Thornburg', written over a horizontal line.

Lacy H. Thornburg  
United States District Judge

